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August 4, 2020

VIA ECF

The Honorable Jesse M. Furman
United States District Judge
Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square, Courtroom 1105
New York, NY 10007

Re: Khurana v. Spherion Corp. (n/k/a SFN Group, Inc.), 1:15-cv-06605-JMF-OTW

Judge Furman:

This firm represents Defendant SFN Group, Inc., f/k/a Spherion Corp. ("Spherion"). Pursuant to the Court's Individual Rule of Practice 1.E., we submit this unopposed letter motion to seek a brief extension of time from August 7, 2020 to August 14, 2020 for the parties to submit and exchange certain materials in this case. Specifically, by Order dated June 12, 2020, the Court ordered the parties as follows:

2. By August 7, 2020, the parties shall file a Joint Pretrial Order, including any and all information relevant to the trial referenced in the Court's Individual Rules and Practices in Civil Cases (available at <http://nysd.uscourts.gov/judge/Furman>) with respect to Joint Pretrial Orders.
3. At the same time, the parties shall each file Proposed Findings of Fact and Conclusions of Law. As there may be no opportunity for post-trial submissions, the Proposed Findings of Fact should be detailed and should include citations to the proffered trial testimony and exhibits, and the Proposed Conclusions of Law shall include all law that the parties wish to submit to the Court. The parties may not submit additional memoranda of law (before or after trial) without leave of Court.
4. At the same time, the parties shall serve, but not file, affidavits constituting the direct testimony of each trial witness, except for the direct testimony of an adverse party, a person whose attendance is compelled by subpoena, or a person for whom the Court has agreed to hear direct testimony live at the hearing. The parties shall also serve, but not file, all deposition excerpts that will be offered as substantive evidence, as well as a one-page synopsis (with transcript citations) of those excerpts for each deposition. As discussed during the telephone conference held on June 11, 2020, witness affidavits are subject to the same rules and restrictions as would apply in the case of live testimony, so the parties should be diligent in complying with all applicable Rules of Evidence.



5. At the same time, the parties shall provide the Court with an electronic copy of each exhibit sought to be admitted (with each filename corresponding to the relevant exhibit number — e.g., “PX-1,” “DX-1,” etc.) by e-mail or a secure filesharing website. The parties shall also provide, by e-mail to the Court (Furman_NYSDChambers@nysd.uscourts.gov), a Microsoft Word document listing all exhibits sought to be admitted. The list shall contain four columns labeled as follows: (1) “Exhibit Number”; (2) “Description” (of the exhibit); (3) “Date Identified”; and (4) “Date Admitted.” The parties shall complete the first two columns, but leave the third and fourth columns blank, to be filled in by the Court during trial.

On August 4, 2020, due to Tropical Storm Isaias, two of the attorneys for Defendant each lost power when the storm damaged power lines, and at the time of this filing are still without power and internet access, which precludes access to this firm’s virtual network. This power failure has interrupted the preparation of certain documents that are due to be either filed or exchanged on August 7, 2020, as well as the review and exchange of joint filings, and it is believed at present that the outage may require certain draft documents to be recreated. Given the unique environment of working remotely, these power outages have had a particularly detrimental effect.

Wherefore, Defendant respectfully requests that the materials currently due on August 7, 2020 may be submitted or exchanged on August 14, 2020, and all of the other dates in the Court’s June 12, 2020 order be similarly extended by seven (7) days. Defendant has met and conferred with Plaintiff’s counsel and Plaintiff does not oppose this request.

Thank you for Your Honor’s consideration of this request.

Respectfully submitted,

SEYFARTH SHAW LLP

/s/ Christopher F. Robertson

Christopher F. Robertson

cc: All Counsel of Record (via ECF)

Application GRANTED. The Clerk of Court is directed to terminate ECF No. 197. SO ORDERED.

A handwritten signature in black ink, appearing to read 'Janet M.', followed by the date 'August 5, 2020' in blue text.